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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,821	10/03/2003	Teddy D. Palomaki	47422.0008	3246

7590

10/18/2005

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EXAMINER

RICCI, JOHN A

ART UNIT

PAPER NUMBER

3711

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/678,821

Applicant(s)

PALOMAKI ET AL.

Examiner

John Ricci

Art Unit

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-80 is/are pending in the application.
- 4a) Of the above claim(s) 33-53 and 55-72 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9, 11, 12, 54 and 73-80 is/are allowed.
- 6) ☒ Claim(s) 13-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) ☐ Notice of References Cited (PTO-892) | 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) ☐ Notice of Informal Patent Application (PTO-152) |
| 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) ☐ Other: _____ |

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In the Interview of 8/9/05, the Examiner had agreed that claims 13-32 would be allowable. However, upon further consideration, the Examiner has maintained the rejection of claims 13-32. In order to give Applicant a full chance to respond, we are withdrawing the Final Rejection of 8/24/05 and reissuing the action as a non-final rejection.

* * * * *

Claims 13-15, 18, 21, 24-26, & 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu et al 6,251,036.

Wu shows a fiber-reinforced polymer arrow shaft. However, Wu does not disclose the exact dimensions of the shaft. However, one of ordinary skill would be aware that inserts having an outside diameter of 0.204 inches (or 0.200 inches for half-out inserts) are standard; and that arrows with a stiff spine, for example less than 0.500 inches, are desirable; one would be motivated to manufacture the arrow shaft of Wu with these dimensions to achieve the expected result of an arrow with a stiff spine which can accept standard inserts. Applicant has not

defined any structure beyond that disclosed by Wu, such as a different type of plastic, or different fibers, or different manufacturing method, that would allow his arrows to achieve the claimed dimensions, while the arrows disclosed by Wu could not. Since one of ordinary skill would expect the claimed dimensions to result in an arrow with a stiff spine which can accept a standard insert, it would have been obvious to one of ordinary skill in the art to manufacture arrows of Wu with an inside and outside diameter to receive a standard insert, and wall thickness to achieve a spine of 0.500 inches or less.

Claims 16, 17, 19, 20, 22, 23, 27, 31, & 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu in view of Simo.

Wu does not show a point mounted to the arrow shaft by means of an insert. One would recognize that it would be desirable to mount a point to the shaft. For example, Simo shows an arrow having a shaft 10, an insert 20 fully within the shaft, and an arrow head 60 (figure 2) threadedly engaged with the insert so that the rear shoulder of the

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arrowhead bears against the end of the shaft. One would recognize that this system would be desirable with the arrow shaft of Wu to mount a point. It would have been obvious to one of ordinary skill in the art to mount a point to the arrow shaft of Wu with an insert, as suggested by Simo.

* * * * *

Applicant's arguments filed Jun. 10, 2005 have been fully considered but they are not persuasive.

Applicant has argued that an arrow with the claimed dimensions would provide unexpected advantages over the prior art such as Wu. However, it is not clear why one would not expect an arrow with a stiffer spine, and diameter to accept a standard insert, to have the claimed advantages.

* * * * *

Claims 1-9, 11, 12, 54, & 73-80 are allowed.

* * * * *

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This letter was prepared by Examiner John Ricci, who can be reached at:

Voice: 571-272-4429

Fax: Use 571-273-8300 for papers to be delivered directly to the mail room, like formal amendments and responses, change of address, power of attorney, petitions.

Use 703-783-0439 for papers to be delivered directly to the Examiner, like informal or proposed responses for discussion, or notes in preparation for an interview.

Response by Fax is encouraged to reduce mail processing time. Please don't send duplicate papers by mail and Fax.

PTO main switchboard: 800-786-9199.

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**JOHN RICCI
PRIMARY EXAMINER
ART UNIT 3711**